

Reply to Office Action dated February 11, 2004

REMARKS

Claims 1-9, 11-17, 21 and 23-33 are pending in this application. By this Amendment, claims 1, 8, 11, 12, 17 and 21 are amended, claims 10, 18 and 22 are canceled and new claims 23-33 are added.

Applicant gratefully acknowledges the courtesies extended by Examiners Kincaid and Ke during the April 20 personal interview with applicant's representative, Mr. Oren. The substance of the interview is incorporated in the following remarks. Independent claims 1, 17 and 21 have been amended based on the discussion at the personal interview.

The Office Action rejects claims 1 and 13 under 35 U.S.C. §103(a) over U.S. Patent 5,991,832 to Sato et al. (hereafter Sato) in view of U.S. Patent 6,128,009 to Ohkura et al. (hereafter Ohkura) and in further view of U.S. Patent 6,369,840 to Barnett et al. (hereafter Barnett). The Office Action also rejects claims 2-4, 6-9, 11, 12, 14, 15, 17, 18 and 21 under 35 U.S.C. §103(a) over Sato in view of Ohkura and Barnett and further in view of U.S. Patent 6,151,059 to Schein et al. (hereafter Schein). Still further, the Office Action rejects claim 16 under 35 U.S.C. §103(a) over Sato, Ohkura and Barnett and further in view of U.S. Patent 6,177,931 to Alexander. The Office Action rejects claim 10 under 35 U.S.C. §103(a) over Sato in view of Ohkura and Barnett and further in view of U.S. Patent 6,185,360 to Inoue et al. (hereafter Inoue). Still further, the Office Action rejects claim 5 under 35 U.S.C. §103(a) over Sato in view of Ohkura and Barnett and further in view of U.S. Patent 6,370,554 to Sun-Woo. The rejections are respectfully traversed with respect to the pending claims.

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Applicant respectfully submits that the combination of Sato, Ohkura and Barnett is improper as being based on impermissible hindsight. That is, Barnett has been combined with Sato and Ohkura without any basis. Rather, it is applicant's own specification that provides the motivation for the combination. Barnett clearly does not relate to television broadcasting. Applicant maintains the Office Action fails to make a *prima facie* case of obviousness.

As discussed during the personal interview, each of independent claims 1, 17 and 21 are amended and are believed to define patentable subject matter over the applied references. For example, independent claim 1 recites the displaying the reservation confirmation screen includes displaying a reservation state of a first program by a background color of a first portion where a first program title is displayed and displaying a reservation state of a second program by a background color of a second portion where a second program title is displayed. The background color of the first portion and the background color of the second portion each being a separate one of a plurality of colors set in accordance with a selection of one of the group of reservation viewing, reservation recording and simultaneous selection of the reservation viewing and the reservation recording.

The cited references do not teach or suggest these features. That is, none of the references relate to a reservation state of a first program and a reservation state of a second program which includes background colors each being separate ones of a plurality of colors set in accordance with a selection of one of the group of reservation viewing, reservation recording and simultaneous selection of the reservation viewing and the reservation

recording. Similar features were previously recited in dependent claims 10 and 22. As discussed during the personal interview, Inoue does not teach or suggest a reservation state of a first program and a reservation state of a second program in which different background colors are used based on the specific reservation state. At best, Inoue merely shows shading for a reserved program. See col. 7, lines 61-65. Inoue does not disclose different colors being used to represent different reservation states. The other applied references do not teach or suggest the features of claim 1 missing from Inoue. As such, independent claim 1 defines patentable subject matter.

Each of independent claims 17 and 21 define patentable subject matter for at least similar reasons as claim 1. That is, independent claim 17 recites a first background color of the event display indicates one of the group of reservation viewing, reservation recording and simultaneous selection of the reservation viewing and the reservation recording, and a second background color of the event display indicates another one of the group of reservation viewing, reservation recording and simultaneous selection of the reservation viewing and the reservation recording. The references do not suggest these features.

Additionally, independent claim 21 recites displaying a second reservation state of the predetermined television programming on the reservation confirmation screen by displaying a second background color at a position corresponding to a day of a second event and a time of the second event, the first background color and the second background color are separate ones of a plurality of colors set in accordance with a selection of one of the group of reservation viewing, reservation recording, and simultaneous selection of the reservation viewing and the reservation recording. The references do not suggest these features.

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Still further, new independent claims 28 and 31 each define patentable subject matter. That is, independent claim 28 recites displaying a consecutive reservation indicator on a prescribed portion of the corresponding selected event, where the consecutive reservation indicator indicating that the user has previously selected the consecutive reservation on the reservation confirmation screen. Similarly, new independent claim 31 recites displaying a consecutive reservation indicator on a prescribed portion of a selected program, where the consecutive reservation indicator indicating that a user has previously selected the consecutive reservation on the reservation confirmation screen. As discussed during the personal interview, the applied references do not teach or suggest the claimed consecutive reservation indicator. The Office Action appears to rely on Schein's Figure 25 for the claimed consecutive reservation indicator. However, this does not teach or suggest a consecutive reservation indicator that indicates that a user has previously selected a consecutive reservation on the reservation confirmation screen. Thus, the applied references do not teach or suggest all the features of independent claims 28 and 31.

Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims also recite features that further and independently distinguish over the applied references. For example, dependent claim 11 (and similarly dependent claims 24 and 27) recites displaying a consecutive reservation indicator on a prescribed portion of the corresponding selected program. The consecutive reservation indicator indicating that the user has previously selected the consecutive reservation on the reservation confirmation screen. For at least similar reasons as set forth above, the applied references do not tech or

suggest these features. Accordingly, dependent claim 11 (and similarly dependent claims 24 and 27) defines patentable subject matter at least for this additional reason.

Dependent claim 12 (and similarly dependent claims 25, 30 and 32) recites displaying the consecutive recording indicator further comprises displaying a separate symbol on a lower portion of the portion where the separate symbol crosses into a different time zone. For similar reasons as set forth above, the applied references including Schein do not teach or suggest these features. Accordingly, dependent claim 12 (and similarly dependent claims 25, 30 and 32) define patentable subject matter at least for this additional reason.

Furthermore, dependent claim 23 recites displaying a third reservation state of the predetermined television programming on the reservation confirmation screen by displaying a third background color at a position corresponding to a day of a third event and a time of the third event. Dependent claim 26 recites a third background color of the event display indicates one of the group of reservation viewing, reservation recording and simultaneous selection of the reservation viewing and the reservation recording. For similar reasons as set forth above, Inoue and the other applied references do not teach or suggest the claimed third background color or third reservation state. As such, dependent claims 23 and 26 define patentable subject matter at least for this additional reason.

Even further, dependent claims 29 and 33 relate to a first background color and a second background color. For at least similar reason as set forth above, the applied references do not teach or suggest these features. Thus, dependent claims 29 and 33 define patentable subject matter at least for this additional feature.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-9, 11-17, 21 and 23-33 are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: May 7, 2004

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